

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Allan Balmain and
Jingde Zhu

Serial No.: 09/051,159

Filed: April 2, 1998

For: ANTITUMOUR VECTOR CONSTRUCTS
AND METHODS

Attorney Docket No.: CCI-005US

Group Art Unit:

Examiner: Not Yet Assigned

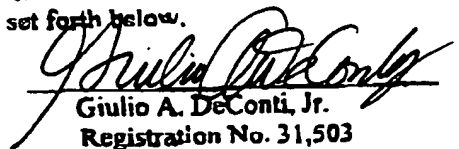
Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

2-10-00
Date of Signature and of Mail Deposit

By:


Giulio A. DeConti, Jr.
Registration No. 31,503
Attorney for Applicants

AFFIDAVIT BY SIMON KIDDLE IN SUPPORT OF PETITION PURSUANT TO

37 C.F.R. 1.47(a)

Sir:

I. Simon Kiddle declare:

1. I am patent counsel for Cyclacel, Limited. (hereinafter "Cyclacel") the assignee of interest by way of the assignment executed on August 31, 1998 by inventor. Dr. Allan Balmain.

2. I am employed at Mewburn Ellis, located at York House, 23 Kingsway, London WC2B 6HP, ENGLAND.

3. I sent a package of material to Dr. Zhu at his last known home address, 68 Deveron Road, Glasgow, G61 1LN, in Great Britain on January 14, 2000. That package of material included: a copy of United States Patent Application entitled "Antitumour Vector Constructs And Methods" (U.S.S.N. 09/051,159) as filed; a Declaration, Petition, and Power of Attorney document for execution; an Assignment document for execution; and a cover letter. A copy of the cover letter is attached as Appendix B.

4. The letter was sent via special delivery, the service offered by the Royal Mail which guarantees next day delivery before noon and which requires the signature of a recipient at the address in question. Attached as Appendix C is a copy of the postage receipt from our post room records. My office telephoned the post office and confirmed that the delivery was received at 68 Deveron Road, Glasgow G61 1LN on 15 January 2000.

5. As of the date below, I have received no response to the letter.

I have been warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful and false statements may jeopardize the validity of the subject application or any patent resulting therefrom, and declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true.

Date: 8 February 2000 .

Signed: Simon J Kiddle

Simon Kiddle

APPENDIX B

MEWBURN ELLIS
INTELLECTUAL PROPERTY
PATENTS · TRADE MARKS · DESIGNS

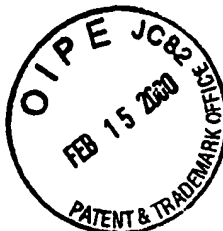
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R.S. Cunningham
S.A. Kiddle



BY REGISTERED POST

Dr Jingde Zhu
68 Deveron Road
Glasgow
G61 1LN

14 January 2000

Dear Dr Zhu

US Patent Application No: 09/051,159
Title: Antitumour Vector Constructs and Methods
Applicant: Cyclacel Limited
Our Ref: SJK/BP5692132

I am a patent attorney working with Cyclacel Limited on this application on which you are named as an inventor.

As part of the procedure before the US Patent Office we need your signature as an inventor on two forms. These are a Declaration and Power of Attorney form and an assignment to confirm transfer of this application to Cyclacel Limited, via Cancer Research Campaign who funded this work.

Copies of these forms and a copy of the patent specification are enclosed.

Please can you sign and date the forms (in blue ink) where indicated and ask someone to witness the assignment. Please can you return the documents here as soon as possible as we have a deadline of **10 February 2000** for filing the forms at the US Patent Office. A stamped addressed envelope for returning the forms here is enclosed.

Please can you also review the application and confirm to me that it completely and accurately describes the invention and the best known mode for carrying it out.

Finally, if you have any questions, please do not hesitate to telephone me on 0117-9266411.

I look forward to receiving the executed forms soon.

Yours sincerely

Simon Kiddle
Simon Kiddle
MEWBURN ELLIS

Encs.
SJK/kod

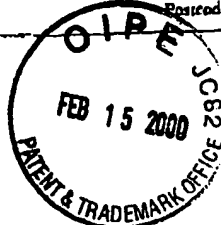
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Your company name **MEWBURN ELLIS**
 Address **No.1 REDCLIFF STREET**
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ENGLAND
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68 DEVERON ROAD
GLASGOW Postcode **G6 1LN**
 Item reference **SH 4275 1318 4GB**

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 • Value of item if Int Reg or Swiftair plus Int Reg £

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 • Value of item if Int Reg or Swiftair plus Int Reg £

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